

Notice of Allowability

Application No.

10/660,941

Examiner

Anh T.N. Vo

Applicant(s)

BYBEE ET AL.

Art Unit

2861

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed on 04/03/2006.
2. ☒ The allowed claim(s) is/are 1-5,7-18,22 and 53-57.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

REASONS FOR ALLOWANCE

The following is an Examiner's Statement of Reasons for Allowance:

Claims 1-5, 8-13 and 53 are allowed because none of the prior art references of record teaches an ink delivery apparatus comprising a pressure tuned rolling piston that has a second convolute portion coupled to a first convolute portion, the second convolute portion being configured to provide further resistance against a negative pressure in the piston, and wherein when in a first condition at least a part of the second convolute portion surrounds at least a part of the first convolute portion in the combination as claimed.

Claims 7 and 54-57 are allowed because none of the prior art references of record teaches an ink delivery apparatus comprising a pressure tuned rolling piston that has a second convolute portion being coupled to a first convolute portion; wherein a perimeter of the second convolute portion is larger than a perimeter of the first convolute portion and wherein when in a first condition at least a part of the second convolute portion surrounds at least a part of said first convolute portion in the combination as claimed.

Claims 14-18 and 22 are allowed because none of the prior art references of record teaches an ink delivery assembly comprising at least one pressure tuned rolling piston that has a second convolute portion adjacent to a first convolute portion, wherein the second convolute portion being configured to provide further resistance against a negative pressure in the piston, and wherein when in a first condition at least a part of the second convolute portion surrounds at least a part of the first convolute portion in the combination as claimed.

CONCLUSION

Any comments considered necessarily by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably accompany the Issue

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Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Anh Vo whose telephone number is (571) 272-2262.

The examiner can normally be reached on Tuesday to Friday from 9:30 A.M. to 7:30 P.M..

The fax number of this Group 2800 is (571) 273-8300.

A handwritten signature in black ink, appearing to be 'Anh T.N. Vo', with a long horizontal flourish extending to the right.

ANH T.N. VO
PRIMARY EXAMINER

April 21, 2006